

ASSIGNED

Nº 49039

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office. MAY 09 1985

Returned to applicant for correction.

Corrected application filed.

Map filed. MAY 09 1985 under 49038

The applicant Hart Resources, Incorporated

4695 South, 1900 West, No. 3, of Roy,  
Street and No. or P.O. Box No. City or Town

Utah 84067, hereby make S. application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

December 1, 1983, Nevada

1. The source of the proposed appropriation is Underground  
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 2.0 second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.

3. The water to be used for Mining, Milling and Domestic  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.

(b) Stockwater, state number and kinds of animals to be watered.

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed.

(2) Point of return of water to stream.

5. The water is to be diverted from its source at the following point in the NW¼, NW¼, Section 19,  
Describe as being within a 40-acre subdivision of public  
T31N, R44E MDM, at a point from which the NW corner of Section 19 bears  
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.  
N. 03° 52' 30" W. 1186.52 feet

6. Place of use W½NW¼ Section 19, T31N, R44E, Section 9, 10, 15 and 16  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.  
in T31N, R43E, and approximately 3 miles of haul road through  
Sections 13, 14 and 24 of T31N, R43E, MDM

7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Deep Well, Turbine Pump and  
State manner in which water is to be diverted, i.e. diversion structure, ditches and

Pipeline to Mill  
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$50,000

10. Estimated time required to construct works 3 Years  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 Years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Waters from this and the accompanying application will be co-mingled.

By s/Lawrence P. Smith  
Lawrence P. Smith, P.E. (Agent)  
J. W. Patterson & Assoc., Inc.  
50 W. Liberty St., Ste. 1020  
Reno, Nevada 89501

Compared in/f

Protested 7-9-85 Louie Venturacci, 7-23-85 Battle Mountain Gold Co.  
W/D 10/30/02

DENIAL OF STATE ENGINEER

~~This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:~~

This application is hereby denied on the grounds that its approval would threaten to prove detrimental to the public interest. No ruling is made on the merits of the protests.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed \_\_\_\_\_ cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before \_\_\_\_\_

Proof of completion of work shall be filed on or before \_\_\_\_\_

Application of water to beneficial use shall be made on or before \_\_\_\_\_

Proof of the application of water to beneficial use shall be filed on or before \_\_\_\_\_

Map in support of proof of beneficial use shall be filed on or before \_\_\_\_\_

Completion of work filed \_\_\_\_\_ IN TESTIMONY WHEREOF, I HUGH RICCI, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed \_\_\_\_\_ my office, this 6th day of October,

Cultural map filed \_\_\_\_\_ A.D. 2003

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_  
Hugh Ricci, P.E.  
 State Engineer